

110TH CONGRESS
1ST SESSION

S. 1904

To amend the Farm Security and Rural Investment Act of 2002 to ensure that only producers receive commodity program payments.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2007

Mr. SALAZAR (for himself and Mr. NELSON of Nebraska) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Farm Security and Rural Investment Act of 2002 to ensure that only producers receive commodity program payments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ESTABLISHMENT OF BASE ACRES AND PAY-**
4 **MENT ACRES FOR A FARM.**

5 Section 1101 of the Farm Security and Rural Invest-
6 ment Act of 2002 (7 U.S.C. 7911) is amended by striking
7 subsection (h) and inserting the following:

8 “(h) PERMANENT REDUCTION IN BASE ACRES.—

9 “(1) REDUCTION AT OPTION OF OWNER.—

1 “(A) IN GENERAL.—The owner of a farm
2 may reduce, at any time, the base acres for any
3 covered commodity for the farm.

4 “(B) EFFECT OF REDUCTION.—A reduc-
5 tion under subparagraph (A) shall be perma-
6 nent and made in a manner prescribed by the
7 Secretary.

8 “(2) REQUIRED REDUCTION BY SECRETARY.—
9 The Secretary shall permanently reduce base acres
10 for land that—

11 “(A) has been developed for commercial or
12 industrial use;

13 “(B) has been subdivided and developed
14 into multiple residential units or other non-
15 farming uses; or

16 “(C) is otherwise no longer intended to be
17 used in conjunction with a farming operation.”.

18 **SEC. 2. PRODUCER AGREEMENT REQUIRED AS CONDITION**
19 **OF PROVISION OF DIRECT PAYMENTS AND**
20 **COUNTER-CYCLICAL PAYMENTS.**

21 Section 1105 of the Farm Security and Rural Invest-
22 ment Act of 2002 (7 U.S.C. 7915) is amended—

23 (1) in subsection (a)(1)—

1 (A) by inserting “and in the case of sub-
2 paragraph (D), the Farm Service Agency shall
3 certify,” after “shall agree,”; and

4 (B) by striking subparagraph (D) and in-
5 serting the following:

6 “(D)(i) that the producers meet the defini-
7 tion of a producer under section 1001; and

8 “(ii) to use the land on the farm, in a
9 quantity equal to the attributable base acres for
10 the farm and any base acres for peanuts for the
11 farm under subtitle C for an agricultural or
12 conserving use, and not for a nonagricultural
13 commercial, industrial, or residential use (in-
14 cluding land subdivided and developed into resi-
15 dential units or other nonfarming uses, or that
16 is otherwise no longer intended to be used in
17 conjunction with a farming operation), as deter-
18 mined by the Secretary; and”;

19 (C) by adding at the end the following:

20 “(f) AUDIT AND REPORT.—Each year, to ensure, to
21 the maximum extent practicable, that payments are re-
22 ceived only by producers, the Secretary shall—

23 “(1) conduct an audit of direct payments,
24 counter-cyclical payments, and base acreage; and

- 1 “(2) submit to Congress a report that describes
- 2 the results of that audit.”.

